

SANITARY CONSTRUCTION REGULATIONS

The following regulations are hereby approved and adopted as authorized by the Caroline County Sanitary Construction Act enacted by the County Commissioners on December 12, 1989, and effective as of January 26, 1990.

SECTION .01 DEFINITIONS. The following words, terms and phrases shall have the meanings indicated:

- A. "Installation" - construction of an on-site sewage disposal system.
- B. "License" - unless the context requires otherwise, any license issued by the Caroline County Health Department to practice sanitary construction.
- C. "On-site sewage disposal system" - the sewage treatment unit, collection system, disposal area, and related appurtenances. The term is synonymous with septic tank system, sewage disposal system, and sewage system.
- D. "On-site sewage disposal system contractor" - a person licensed to practice sanitary construction limited to installing, replacing, or repairing on-site sewage disposal systems.
- E. "Permit" - a permit to install, replace, or repair an on-site sewage disposal system, or to clean and dispose of the contents of a septic tank.
- F. "Person" - an individual licensed to practice sanitary construction.
- G. "Practice sanitary construction" - includes engaging in any of the following:
 - 1) Installing, replacing, or repairing an on-site sewage disposal system; or
 - 2) Cleaning and disposing of the contents of septic tanks.
- H. "Repair" - any work on an existing on-site sewage disposal system.
- I. "Replacement" - construction of an on-site sewage disposal system and proper abandonment of the existing on-site sewage disposal system, to include filling in the septic tank.

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- J. "Sanitary construction" - installation of any septic tank system or other on-site sewage disposal system and the practice of cleaning and disposing of the contents of septic tanks.
- K. "Septage" - the contents of a septic tank, chemical toilet, seepage pit, privy, holding tank, or other receptacle that receives the discharge of sewage. Septage does not include hazardous substances.
- L. "Scavenger" - a person licensed to practice sanitary construction limited to the cleaning and disposal of the contents of septic tanks.
- M. "Septic hauler" - a person who transports and disposes of septage. The term is synonymous with scavenger, and septage hauler.

SECTION .02 GENERAL

- A. These regulations supplement the requirements of COMAR 26.04.02, "Sewage Disposal and Certain Water Systems for Homes and Other Establishments in the Counties of Maryland Where a Public Sewage System is Not Available."
- B. Persons licensed under the Caroline County Sanitary Construction Act and individual property owners are responsible for compliance with all rules and regulations.

SECTION .03 LICENSES REQUIRED; LICENSES CATEGORIES

- A. Except as provided in .03A(2) and .03A(3) of these regulations, a person may not practice sanitary construction or represent to the public that the person is authorized to practice sanitary construction without a current license from the Caroline County Health Department.
 - 1) Licenses are issued in the following categories:
 - a) On-site Sewage System Construction
 - b) Scavenger

- 2) An individual property owner may perform sanitary construction on property on which he or she as owner resides, or on any property he or she owns which is for sale, lease, or rent without a license to practice sanitary construction, provided all work is carried out under a permit and inspected and approved by the Caroline County Health Department.
- 3) Maintenance employees of any plant or business may repair or maintain the on-site sewage disposal system at their place of employment without a license to practice sanitary construction.
 - a) A sanitary construction permit shall be obtained for any new or replacement installation affecting the on-site sewage disposal system.

SECTION .04 LICENSE REQUIREMENTS

- A) A person practicing sanitary construction shall obtain a license from the Caroline County Health Department prior to performing such work by:
 - 1) Filing a completed application on forms furnished by the Caroline County Health Department, Division of Environmental Health, Post Office Box 10, Denton, MD 21629. A completed application includes:
 - a) Payment of the required application fee; and
 - b) Proof of possession of an operative performance bond or liability insurance policy as provided in Section .04B of these regulations.
 - 2) Demonstrating competency and proficiency and having the necessary equipment to do satisfactory work.
- B) The bond or liability insurance shall be in written form from the bonding company or insurer, or other form as prescribed by the Caroline County Health Department.
 - 1) The bond or liability insurance shall include provisions for:

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- a) Compliance by the person with all laws, rules, and regulations of the State of Maryland, Caroline County, or any incorporated town in Caroline County pertaining to sanitary construction;
 - b) Notification to the Caroline County Health Department of cancellation of the bond or insurance;
 - c) Holding harmless the County Commissioners of Caroline County and the Caroline County Health Department in the event of a grievance asserting the person should not have been licensed; and
 - d) Completed operations claims.
- 2) The bond or liability insurance shall cover the person as follows:
- a) Bond \$ 5,000 aggregate;
 - b) Liability Insurance:
 - 1) Property damage. . . \$ 25,000 each occurrence
 - . . . \$ 50,000 aggregate

SECTION .05 ISSUANCE OF LICENSE

- A) A person shall be issued a license to practice sanitary construction after the following requirements are satisfied:
 - 1) Completion of the requirements of Section .04 of these regulations; and
 - 2) Proof of qualification to practice sanitary construction. This may include, but is not limited to:
 - a) Valid licenses to practice sanitary construction in other jurisdictions in Maryland;
 - b) Demonstrating competency and proficiency to practice sanitary construction to the satisfaction of the Caroline County Health Department.

- i) A temporary license may be issued by the Caroline County Health Department to allow a person to demonstrate competency and proficiency to do satisfactory work.

SECTION .06 DURATION OF LICENSE

Except for temporary licenses, all licenses expire annually on December 31. Temporary licenses expire as shown on the licenses.

SECTION .07 LICENSE RENEWALS

- A) An application for renewal shall be submitted so that the Caroline County Health Department receives a completed application on or before December 31 annually. A completed application must include:
 - 1) Payment of any required fee; and
 - 2) Evidence of a valid performance bond or liability insurance in accordance with Section .04B of these regulations.

SECTION .08 DENIALS, SUSPENSIONS, AND REVOCATIONS

- A) Subject to the hearing provisions of Section .09 of these regulations, the Caroline County Health Department shall have the power to suspend or revoke a license if the licensee:
 - 1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant, or person, or another person;
 - 2) Fraudulently or deceptively uses a license; or
 - 3) Through gross negligence, incompetence, or misconduct violates any law, rule, or regulation that applies to the practice of sanitary construction.

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- B) Subject to the hearing provisions of Section .09 of these regulations, the Caroline County Health Department may deny a license to any applicant on any of the grounds specified in Sections .05 and .08A of these regulations.
- C) The license of any person is automatically suspended if the work done by that licensee becomes unbonded or uninsured. Any licensee who has his or her bond or liability insurance cancelled or otherwise becomes unbonded or uninsured shall immediately notify the Caroline County Health Department.
 - 1) Any person suspended under this section may be reinstated when the person obtains a bond or insurance acceptable to the Caroline County Health Department.

SECTION .09 HEARING AND APPEAL

- A) Whenever the Caroline County Health Department contemplates the denial, revocation, or suspension of a license, the Caroline County Health Officer, through the Caroline County Environmental Health Division, shall give written notice to the licensee.
 - 1) The notice shall state the reasons for suspension or revocation, and appoint a time and place of a hearing before the Caroline County Health Officer. The notice shall be mailed certified or registered, and shall state the person's or applicant's rights to legal representation.
- B) After hearing all testimony, the Caroline County Health Department shall decide the question in such a manner as to it appears just and right.
- C) Any applicant for a license or any licensee who feels aggrieved by the action of the Caroline County Health Department in failing to issue a license, or in suspending or revoking a license, may within 10 days after receipt of notice of such action take an appeal therefrom to the Circuit Court for Caroline County.
 - 1) The taking or pending of such appeal shall not stay the suspension or revocation issued by the Caroline County Health Department.

- 2) Either party to proceedings of court action may appeal the Circuit Court decision to a higher Maryland court.

SECTION .10 CERTAIN PERMITS ALSO NECESSARY

A license to practice sanitary construction does not authorize a person to construct an on-site sewage disposal system or clean and dispose of the contents of septic tanks (septage) without obtaining a permit for such work from the Caroline County Health Department.

SECTION .11 SEPTAGE DISPOSAL

- A) All solid and liquid contents removed from chemical toilets, septic tanks, seepage pits, privies, and holding tanks, also termed septage, located in Caroline County shall be disposed of by discharge into community sewerage facilities or other facilities or sites approved by the Caroline County Health Department.
- B) No solid or liquid contents removed from chemical toilets, septic tanks, seepage pits, privies, and holding tanks outside of Caroline County shall be disposed of or discharged anywhere in Caroline County, except in community sewerage facilities approved by the Caroline County Health Department.
- C) All septage shall comply with the definition of a Class I sewage sludge as defined in COMAR 26.04.06.02B(2) Sewage Sludge Management. Septage not meeting these requirements must be disposed at either a community sewerage facility, or at a facility approved by the Caroline County Health Department.
- D) The Caroline County Health Department or community sewerage facility shall have the authority to sample the contents of any vehicle used for hauling septage to determine the concentrations of the contents pursuant to the provisions of the Caroline County Sanitary Construction Act.

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- E) Any duly-authorized employee of the Caroline County Health Department shall be permitted at any time to enter upon the property of a septage hauler, or customer of a hauler, for the purpose of inspecting, observing, sampling and testing as may be required pursuant to the provisions of the implementation and enforcement of the Caroline County Sanitary Construction Act.

SECTION .12 CONSTRUCTION SPECIFICATIONS OF ON-SITE SEWAGE DISPOSAL SYSTEMS

- A) The following specifications will supplement the specifications described in COMAR 26.04.02.05.

1) Standard trenches

- a) The trench shall penetrate the porous strata identified for wastewater disposal a minimum of 12 inches.
- b) The sidewall of the trench shall be raked to reduce the smearing and compacting effect of excavating the trench.
- c) A natural stone or gravel, a minimum of 12 inches in depth, shall be used to backfill the trench in the porous strata used for wastewater disposal. The average backfill diameter shall range between 3/4 of an inch and 2 inches.
- d) Wastewater distribution tubing shall be placed in the stone or gravel backfill so as to provide a minimum of 6 inches of backfill below the tubing and 2 inches above the tubing.
 - 1) The tubing should be 4 inches in diameter, smooth inside wall pvc, with 1/2 to 3/4-inch perforations in two rows at 6-inch intervals. Each row should be a maximum of 60 degrees off the invert of the tubing. The tubing shall be able to withstand a 1,500-pound crush test.

- e) Untreated building paper shall be placed over the stone backfill prior to placement of soil backfill. Soil backfill shall be mounded to allow for settling of the backfill to the original ground level.
 - f) All trenches shall be no closer than 3 feet to the distribution box and 6 feet from center-to-center between trenches.
- 2) Septic tanks
- a) Two compartment tanks are required for all on-site systems. Concrete tanks shall be a minimum of 3 inches thick with reinforcing on 6-inch centers. Inlets and outlets shall be constructed to restrict groundwater intrusion. The tank shall have a top seam, or shall be sealable against groundwater intrusion. Non-concrete tanks will be approved on a case-by-case basis, but must at least be equivalent in performance to concrete tanks.
- 3) Grease traps (interceptors)
- a) Design requirements are the same as those for septic tanks, except that the inlet and outlet baffles shall terminate 12 inches from the floor of the tank.
 - b) Sizing shall be based as specified in the EPA Design Manual - On-Site Wastewater Treatment and Disposal Systems, EPA 625/1-80-012, October 1980, Section 8.2.
- 4) Pump stations (dosing tanks)
- a) Specifications shall be as delineated in the Design and Construction Manual for Sand Mounds, November 1987, by the Maryland Department of the Environment, Section 4.3. There shall be no seams below the level of the seasonal high water table.

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5) Service manholes (access ports)

- a) For all non-residential installations, water-tight manholes shall be provided for maintenance purposes.
- b) Permit applicants must furnish a copy of their current contract, which must be renewable, with a licensed scavenger, along with their permit application. The pump-out frequency must be approved by the Caroline County Health Department.

THESE REGULATIONS SHALL TAKE EFFECT ON THE DATE OF THEIR ADOPTION.


ADOPTED: FEBRUARY 6, 1990

COUNTY COMMISSIONERS OF
CAROLINE COUNTY, MARYLAND


LEIGH SANDS, CLERK


LEE E. JAMES, PRESIDENT


JOHN S. LEGATES


CHARLES T. DEAN, SR.

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